

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:25-CV-522-FL

OAK-BARK CORPORATION,)
)
Plaintiff,)
)
v.) ORDER
)
ENTEGRIS, INC.,)
)
Defendant.)

This matter is before the court on defendant's motion to dismiss, or in the alternative to consolidate with related case, United States v. Oak-Bark Corporation, et al., No. 7:23-CV-1150-FL (E.D.N.C.) (the "23-1150 action"). (DE 5). Upon review of the parties' briefs and the record in this action and the 23-1150 action, the court determines that consolidation is in the interest of justice. The court declines to dismiss the instant matter, or to stay it as plaintiff suggests in further alternative.

Accordingly, defendant's motion (DE 5) is GRANTED IN PART and DENIED IN PART. That part of the motion seeking dismissal of the instant action is DENIED. That alternative part of the motion seeking consolidation is GRANTED. The instant action is hereby consolidated into the 23-1150 action, with the 23-1150 action designated as the lead case. The clerk is DIRECTED to close the instant action for administrative purposes and to accept no further filings herein, unless otherwise ordered. All future filings in the instant case shall be made in the 23-1150 action going forward. Plaintiff is DIRECTED to file, within 10 days of the date of this order in the 23-1150 action, an amendment to its reply (23-1150 action, DE 145) to defendant's counterclaims (23-1150

action, DE 95), to incorporate its causes of action in the instant case as counterclaims in reply to defendant's counterclaims in the 23-1150 action.

SO ORDERED, this the 2nd day of June, 2025.



LOUISE W. FLANAGAN
United States District Judge